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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,999	10/23/2003	Sameet H. Agarwal	MS306808.1/MSFTP535US	2461
27195	7590	11/14/2005		
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				
			EXAMINER PICH, PONNOREAY	
			ART UNIT 2135	PAPER NUMBER

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/691,999	Applicant(s) AGARWAL ET AL.	
	Examiner Ponnoreay Pich	Art Unit 2135	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-33.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The examiner notes applicant's amendments to claims 13 and 14 and enters the amendments into record. The objections to claims 13 and 14 are withdrawn.

Response to Arguments

Applicant's arguments filed 10/10/2005 have been fully considered but are not persuasive.

Applicant argues for claim 1 that Belani does not teach applying at least one security policy to each of the plurality of data items within a defined region of the data store. The examiner respectfully disagrees. The examiner cited col 2, lines 60-63 to meet this limitation. In the cited passage, a security component, i.e. access controller, is stated as executing on a server and is responsible for controlling access to one or more data items, i.e. resources, coupled with the server. The examiner further discussed in the rejection that Belani disclosed that resources in his invention include databases, files, etc. (col 3, lines 39-43). The access controller controlling access to the resources reads on a security component applying at least one security policy to each of the plurality of data items. The examiner went on to state that the data items must be in a defined region of the data store. The phrase "defined region of the data store" is extremely broad and the examiner submits it is clearly met by Belani. The examiner respectfully submits that a file stored in a folder reads on data items within a defined region in the data store. The file being stored in particular physical location on a storage unit, i.e. hard drive, reads on data items within a defined region in the data

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store. In Figure 2, Belani discloses a storage sub system and a file storage subsystem which is used in his invention. Clearly, file storage on a storage unit is disclosed by Belani, thus so is a defined region in the data store and data items within a defined region in the data store.

Applicant noted that claims 22 and 29 recited similar limitations that applicant had argued for claim 1. Specifically, applicant argues that Belani does not teach applying the security policy to the security region associated with the data store including the at least one hierarchical data structure because instead of applying a specific security policy to a particularly defined security region, Belani applies the access controller module (ACLR) to an entire hierarchy of resources that are not segmented into security regions. The examiner notes that the limitation being argued recites "applying the security policy to the security region associated with the data store including the at least one hierarchical data structure." The limitation does not mention anything about the hierarchy of resource having to be segmented into security regions (plurality emphasized) as being argued by applicant. Further, the examiner cited passage (col 8, lines 15-6) clearly shows that the ACLR describes a hierarchical relationship between resources. The passage further discloses that this relationship is used by the server to determine if a user is allowed to perform operation on a resource, therefore the security region had a security policy which was applied to it. The security region must be located in a storage subsystem and/or file storage subsystem as seen in Fig 2, therefore the security region is associated with the data store since both the storage subsystem and file storage subsystem of Fig 2 reads on a data store.

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Applicant argues with claim 30 that nowhere is there a suggestion in Belani of a data field that stores information related to identifying a specific security region of the data store, therefore Belani is silent regarding all the limitations of claim 30. In response, the examiner must respectfully point out that nowhere in claim 30 does it state that any of the data fields recited stores information related to identifying a specific region of the data store. Because the claim is silent on this requirement that applicant is arguing, the examiner respectfully does not see how whether or not the cited reference discloses this requirement equates to the reference being silent on all the recited limitations also.

The rest of applicant's arguments are directed towards dependent claims being allowable because the independent claims are allowable. However, the examiner respectfully submits that applicant's arguments presented for the independent claims have all been traversed. The current set of claims are too broad to be allowed.



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